



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

**NOTICE OF DETERMINATION OF
SPECIAL, EXCEPTIONAL, CRITICAL, OR UNIQUE LANDS
WHARF RESOURCES (USA) INC**

The Department of Agriculture and Natural Resources has made its determination regarding a Notice of Intent to Operate and Request for Determination of Special, Exceptional, Critical, or Unique Lands from Wharf Resources (USA) Inc., 10928 Wharf Rd, Lead, South Dakota 57754. The Notice of Intent to Operate was submitted as required under ARSD 74:29:10 for purposes of requesting the department to determine whether the lands potentially affected by the mining operation are eligible for inclusion on the preliminary list of special, exceptional, critical, or unique lands.

The proposed operation involves a 47.4-acre expansion of Wharf Resources (USA) Inc.'s existing gold mining operation on land approximately four miles west of Lead, South Dakota. Topsoil and subsoil will be stripped and stockpiled for use in concurrent and future reclamation activities. Ore will be processed through cyanide heap leach methods before being treated and used along with waste rock as backfill in the mine pits. Reclamation will be conducted concurrently with the mining operation. The proposed postmining land use is woodland grazing and recreation.

In accordance with ARSD 74:29:10:08 and 74:29:10:09, the department has determined that the lands described in the Notice of Intent to Operate do not constitute special, exceptional, critical, or unique lands. This determination is based on the on-site inspection of the proposed lands to be affected, examination of the established preliminary list, consultation with other agencies, and evaluating information provided with the Notice of Intent to Operate. In addition, no nominating petitions pertaining to the lands described in the Notice of Intent were filed with the department.

The lands described in the Notice of Intent to Operate are considered cleared from special, exceptional, critical, or unique characteristics in accordance with ARSD 74:29:10:15. This clearance will remain in effect for seven years. If a mine permit application is not submitted within the seven-year period, the Board of Minerals and Environment may declare the clearance void and the lands may be reevaluated.

Wharf Resources (USA) Inc. may appeal the department's determination by filing a petition for a contested case hearing pursuant to SDCL 1:26 within seven days after receipt of the determination. The hearing on the appeal shall be confined to the determination of the lands as special exceptional, critical, or unique and whether an environmental impact statement and socioeconomic study will be required.

Persons desiring further information may contact Roberta Hudson, Minerals and Mining Program, at (605) 773-4201.

Hunter Roberts
Secretary
Department of Agriculture and Natural Resources

May 6, 2022